

Local Liaisons Questions - 13 June 2007 - Response by County Portfolio Holder for Highways and Transportation Councillor Hume

1. We are conscious that there have been complaints in the past and we would welcome Cllr Hume explaining how he feels matters will be improved for the future.

2. Is there a defined specification for repairs to road surfaces?

For the majority of repairs to Potholes and other common surface defects ECC use Clause 949, 950 & 951 from the Manual of Contract Documents for Highway Works, Volume 1 'Specification for Highway Works'. The County Council will also use propriety systems such as 'Rhinopatch' or 'Jetpatcher'. (Further information on these systems can be found on the web sites <http://www.asiplc.com/rhinopatch1.html> and <http://www.jetpatcher.co.uk/>

With reference to Statutory Undertakers reinstatements are covered by the "Specification for the Reinstatement of Opening in Highways" (Second Edition 2002). This has been drawn up as a code of practice by a New Roads and Street Works Act working party of the Highway Authorities and Utilities Committee (HAUC). This specification sets out the statutory requirements for materials. Performance and standards of workmanship for use in association with street works carried out by utilities and other undertakers with apparatus in the street. It is available from The Stationary Office, ISBN 0-11-552538-6, cost £10.

(a) Can we have a copy?

A copy of the 'Specification for Highway Works' is available from the Stationary Office (ISBN 0 11 552705 2) or via the internet via the Highway Agency web site <http://www.standardsforhighways.co.uk/mchw/index.htm>

(b) Who wrote it?

The document is a Highway Agency Specification which the county adopted in April 2006 as it was very similar to its own specification which it has been using since 1998.

(c) How was it determined?

The specification has been derived over a number of years though experience.

(d) How does ECC check that it has been adhered to?

Adherence can only be determined by visual inspection.

(e) Is work checked before payment is authorized?

With 6,693 jobs raised in Epping Forest District alone it is only practical to check up on about 10% of the repairs and those that exceed 10% of the order value

3. We understand that where utility companies dig up roads and do not repair them satisfactorily they are made to come back and do it at their cost. What is the position with regards to ECC repairs, which appear quite often to need repairing within 4-6 weeks of the initial repair, particularly in the winter months. Can ECC please confirm that where contractor's re-attend it is at their cost and not ours.

Reinstatements carried out by Statutory Undertakers in the highway are covered by a guarantee period depending upon the depth of the excavation, with works up to 1.5m having a two year period whilst those over 1.5m a three year period. If during the guarantee period

any defects are found in the materials, workmanship and standard of reinstatements the utility or other undertaker must rectify the defect at their expense, this also re-starts the guarantee period for the reinstatement.

Each ECC repair has a 12 month guarantee period. Any defects will be notified to the contractor and corrected at his expense

Yes this was not an easy task. New regulations would be introduced for late Autumn 2007 which would place the County in a stronger position in relation to enforcement work.

4. Is there a standard of performance when issuing specifications to Highways sub-contractors and can we see a copy?

Standard of workmanship are contained within the specification. A performance base specification is not practical as there are too few parameters for measuring performance.

5. What key performance indicators do ECC impose on those Contractors. Are there financial penalties placed upon them.

The contract has a number of key performance indicators which include the measurement of the contractors' Program delivery, Quality of work, responsiveness etc, etc. These indicators are used as monitors and may be used to determine any contract extension.

6. Are there any published statistics of overall performance of the Highways Dept.

A recent MORI poll of residents in Essex has shown for the district of Epping Forest a +6% satisfaction with provision of highway services, this is a big improvement from a negative 20% satisfaction in 2004 when the agency arrangement were in place.

7. How are repairs prioritized?

Repairs are priorities according to risk, as recommended by the Code of Practice 'Delivering Best Value in Highway Maintenance'. Details of the assessment is contained in the 'Essex code of practice for highway inspections'

8. What arrangements are in place for cross-border issues to be dealt with, such as with Hertfordshire County Council and the London Boroughs of Redbridge and Waltham Forest.

There are regular liaison meeting of County Hall staff with other Eastern Regional authorities and the Highways Agency to discuss maintenance policy, winter service, NRSWA, traffic diversions or current issues. On a local basis there are few issues or occasions when cross boundary co-ordination is required with the exception of cross boundary traffic diversions.

ECC Officers discuss all road closures with neighboring local authority officers, where the diversion route will affect another authority's network or the diversion is through one of their roads.

9. We have been told in the past that there are always staffing problems.

a) What is the financing and staffing of the ECC Highways Dept and is it adequate. If not, what action is being taken to fill vacant posts.

(b) Do you use Agency staff, how expensive are they, and are they cost effective?

Agency staff rates are higher than permanent salaried staff however Agency staff do not get paid when they are off sick or on holiday. They are not entitled to training or time off for this, contributions are not made with regards to pensions and they do not have any entitlement with regards to redundancy or any substantial notice periods. All Agency staff are on one week's notice. The advantage of using Agency staff is that they can cover for fluctuations in workloads however at present the West Area Office are using Agency staff to cover for vacancies. The West Area Office are currently undergoing another recruitment drive.

10. How is the funding split between the various Districts. This used to be on a per kilometer basis and this would seem grossly unfair, in particular for Epping where usage is far higher per kilometer of road, having regard to its close proximity to Central London.

The funding was split according to capital needs. Three thirds of this was allocated to the Capital Budget. The remaining two fifths went towards the Revenue Budget. A recent study indicated that District was actually better off under the new system for allocating funding compared to the old method.

11. Having regard to the number of pot-holes and other areas where repairs seem to recur year after year, what analysis has been carried out with regards to Quality Control and Best Value.

With regards to Quality Control I refer back to the previous questions. Essex and particular parts of Epping is mainly founded on clay soils (London Clay) which are prone to movement caused by seasonal or climatic changes. There is anecdotal evidence that these roads require more attention compared to those founded on gravel or other soils. In dealing with roads that are subject to regular movement analysis has shown that in most cases a regime of regular patching and other minor maintenance works can be better value long term compared to a full reconstruction and its associated disruption to traffic etc.

12. Are there any penalties placed upon Contractors for not dealing with instructions in a proper or timely manner.

See answer to Q.5

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13. From our perception the system does not appear to be working as well as when Epping Forest District Council were acting as Agents. Have similar complaints been made by other Districts where the Highways Department have taken back overall control.

See answer to Q.6

A recent MORI poll of residents in Essex has shown for the district of Epping Forest a +6% satisfaction with provision of highway services, this is a big improvement from a negative 20% satisfaction in 2004 when the agency arrangement were in place.

14. Consultations with Town and Parish Councils appear to be breaking down. At least one Parish has been told that in future they will not be advised of temporary road closures on the basis that an advert would appear in the Public Sector Notices column of the local paper. Whilst this might satisfy the legal requirement, from a practical point of view very few people look at the Public Sector Notices and the knock-on effect in rural communities can be quite severe, particularly at the time when parents are taking children to school.

ECC consult all Parish and Town Councils on temporary road closures.

Temporary road closures under a 5 day Notices – Parish or Town, District Council, Police, Fire, Ambulance, Buses are consulted.

Temporary road closures over 5 days. The Orders are undertaken by ECC Law and Admin and Parish and Town Councils are statutory consultees. Also these are advertised in the Paper

Notices are placed on site.

All stats companies with planned works including ECC maintenance works are requested to leaflet affected frontagers and provide advance warning signs.

15. The Northern part of EFDC has recently had disruptions caused by the works on the A414. The standard of diversion signs appears to be nothing more than confusing. Fortunately hold-ups are only 5-10 minutes, even in rush hour, and a diversion via the M11, M25 and A12 would appear to be somewhat long-winded.

The A414 is a strategic route and is used by HGV. The only practical way to divert this traffic would be via other strategic routes. Drivers with local knowledge are more likely to determine their own diversion route which will suit their need. The fact that hold ups were kept to a minimum only demonstrates the works were successfully publicised

16. Is there a defined policy to concentrate on main roads and ignore side streets and roads running through housing estates? Whilst this might be a better utilization of funds allowing through traffic to flow at a faster rate, it does not help rate payers who live on the estates and have to suffer the consequences of roads not being repaired and re-surfaced.

The Highways Maintenance Initiative was a three year capital programme initially concentrating on the main roads (A and B). This year, the final year, there is more of an emphasis on the C roads.

17. Signage is certainly a problem, we have experienced a number of instances where signs have been stolen and have not been replaced. Whilst we appreciate there is a cost implication we do feel that the time taken to replace the missing signs is more than would be acceptable in any performance standard indicator.

The theft of road signs and other ironworks is a national problem. There are no indicators for the replacement of signs but priority is given to Stop and Give way signs followed by regulatory sign and other in order of importance.

We are aware of the problems with stolen signs and are endeavoring to replace all reported missing signs. This is proving to be an extremely complicated job with plastic signs being stolen as soon as they are replaced.

18. The concept of not dealing with matters in a timely fashion is somewhat frustrating. We are sure that all Parishes have their pet problems, but to receive a letter from the Highways & Transport Department a month after they were written to, and to say that the concerns are being investigated, and to then suggest that ECC will endeavour to effect repairs within 28 days of completion of the investigations, without giving any indication as to how long the investigations themselves will take, is not acceptable.

Response times are dependant on resources. We acknowledge all correspondence and prioritize works accordingly.

19. We would very much like to improve communication between Parish and Town Councils and the Highways Department and ECC. There is rarely any feed-back, and as mentioned above, frustration ensues. A system was run quite successfully with EFDC whereby Parish and Town Councils would send a monthly list of requests for repairs -

could this system not be re-instated on a county basis with a limited time period for repairs to be completed.

The Area Office Staff believe that the situation has much improved. A concerted effort has been made to respond to requests from the many Parish, Town and District representatives and members of public. It is disappointing to hear that there are still complaints of a lack of feedback. Some information with regards to specific problems would greatly assist the Area Highways Manager to investigate the problems and address them. It is difficult to contain the many requests for repairs with a limited budget and decisions on priorities must be maintained.

20. There is general concern over the state of pavements, and how damaged pavements are repaired. If cars and lorries park illegally they might get fined or clamped, or even removed. Can the staff dealing with such matters check that the vehicles have not damaged the pavement, and take appropriate action to make the perpetrators pay for the damage caused.

Parking on a footway (where it has not been allowed for by virtue of specifically marked out spaces) is an offence under the Highways Act. The offence is driver related, which is to say it is the driver who must be prosecuted. Responsibility for enforcement therefore rests with the Police. However, where there are waiting restrictions the restriction also applies to the footway (if it is part of the public highway), as well as the carriageway and a penalty charge notice can be issued by a Council parking attendant. In this case the driver does not have to be present and the notice, if not paid, is followed up with the registered keeper.

Re-charging owners of illegally park vehicles would not be practical as a) it will not be possible to providing evident that will stand up in court and b) any monies raised would not cover the cost of administration.